



March 20, 2006

Utah Coal Program
 Division of Oil, Gas and Mining
 1594 West North Temple, Suite 1210
 P.O. Box 145801
 Salt Lake City, Utah 84114-5801

Deer Creek
C/015/0018

RECEIVED

MAR 22 2006

DIV. OF OIL, GAS & MINING

**Subject: Amendment to Update Deer Creek Mine Permit Volume 12 - Mill Fork Lease
 Remove the Gas Well Buffer Zone, Update Mill Fork Permit Boundary and
 Mine Workings, PacifiCorp, Deer Creek Mine, C/015/0018, Task Id#2351,
 Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, submitted an amendment to Volume 12 to remove the gas well buffer zone, update the Mill Fork permit boundary and mine workings on October 4, 2005. The Division responded on February 27, 2006 with a list of deficiencies related to confidential and private information. The following is a list of the deficiencies and Energy West's response:

Deficiency

R645-301-121.300, The changes to the MRP that relate to the relocation of confidential documents are not clear. The Permittee prepared and provided a Confidential Binder that included a cover and spine that clearly states the mine names, numbers, and a binder volume named "Confidential and Private Information". The binder, however, must include chapter, appendix, and map tabs that match the name and sequence pattern found in the MRP (non-confidential volumes). The confidential binder(s) should follow the same format as the non-confidential volume set. For example, Deer Creek tabs for chapters that include confidential information include the following: Biology and Land Use & Air Quality. Following your same formatting allows readers to quickly turn to the right chapter to review confidential documents. Also, the replacement (or relocation) pages must include the title of the relocated document, date of the relocation, and new location of relocated document (Confidential Binder, Division Oil Gas and Mining PIC room, SLC Utah). Currently, the documents are located only under mine name tabs, therefore, all the disciplines are under the same tab. A reviewer has to filter through numerous documents in order to find the proper document.

• *The Permittee must stamp all incoming confidential documents with the word "Confidential". Currently, the MFS1852B and MFS1839 are missing this labeling. Also, the Permittee must submit confidential documents in a separate folder (stamped "Confidential") from the rest of an application. This folder will alert our staff that there is a confidential file and to scan this document to a confidential e-folder. The Division cautions that there may be other maps that the Permittee illustrates raptor nest results. These maps must be labeled and filed and Confidential.*

Response

As recommended by the Division, PacifiCorp has included a series of tabs to be included in the Confidential and Private Volume: Deer Creek tab, to assist in locating transferred information along with reference sheets for the individual chapters of Volume 12. The following tabs have been included:

PacifiCorp Confidential and Private Information Volume
DEER CREEK MINE Volume 12
R645-301-300 Biology

PacifiCorp Confidential and Private Information Volume
DEER CREEK MINE Volume 12
R645-301-400 Land Use & Air Quality

PacifiCorp Confidential and Private Information Volume
DEER CREEK MINE Volume 12
R645-301-500 Engineering

In addition, PacifiCorp has included a copy of maps MFS1852B and MFS1839B stamped as "Confidential". Map MFS1852B is to be inserted in the tab entitled "PacifiCorp Confidential and Private Information Volume DEER CREEK MINE Volume 12 R645-301-300 Biology". Map MFS1852D is to be inserted in the tab entitled "PacifiCorp Confidential and Private Information Volume DEER CREEK MINE Volume 12 R645-301-500 Engineering".

Deficiency

R645-300-124.330, The MRP still includes confidential descriptions (also refer to R645-301-411) of two historic resources. The Permittee must relocate these paragraphs to the confidential folder. The Division suggests providing a relocation clause, such as, "A summary of historic resources is in the Confidential Binder - Chapter 4" and suggests relocating these paragraphs behind the Chapter 4 tab.

- *The Permittee did not relocate confidential information from Volume 11 (e.g., Raptor map).*

Response

PacifiCorp has amended R645-301-400 Land Use & Air Quality page 5 to include the following statement: "A summary of historic resources is in the Confidential and Private Volume in the tab entitled "Deer Creek Volume 12 R645-301-400 Land Use & Air Quality". As recommended, references related to the historic sites will be relocated to the Confidential and Private volume.

If the information provided satisfies the deficiencies listed, Energy West will submit the necessary clean copies of the revisions originally supplied on October 4, 2005. The following is a list of those revisions:

**DEER CREEK MINE VOLUME 12 MILL FORK LEASE
TEXT SECTIONS**

R645-301-200 Soils Section
R645-301-300 Biology Section
R645-301-400 Land Use & Air Quality Section (Revised March, 2006)
R645-301-500 Engineering Section
R645-301-600 Geology Section

MAPS

General Section

General Section Map MFU1837D, Remove Gas Well Buffer and Update Mill Fork Lease Boundary
General Section Map MFS1838D, Remove Gas Well Buffer and Update Mill Fork Lease Boundary

Soils Section

Soils Section Map MFS1834B, Remove Gas Well Buffer and Update Mill Fork Lease Boundary

Biology Section

Biology Section Map MFS1821D, Remove Gas Well Buffer and Update Mill Fork Lease Boundary
Biology Section Map MFS1849B, Update Mill Fork Lease Boundary
Biology Section Map MFS1822B, Update Mill Fork Lease Boundary

Land Use & Air Quality Section

Land Use & Air Quality Section Map MFS1835B, Remove Gas Well Buffer and Update Mill Fork Lease Boundary
Land Use & Air Quality Section Map MFS1836B, Remove Gas Well Buffer and Update Mill Fork Lease Boundary
Land Use & Air Quality Section Map MFS1856B, Remove Gas Well Buffer and Update Mill Fork Lease Boundary

Engineering Section

Engineering Section Map MFU1841D Remove Gas Well Buffer, Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Engineering Section Map MFU1840D Remove Gas Well Buffer, Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Engineering Section Map MFS1857D Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Engineering Section Map MFS1866D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Lease Boundary

Geology Section

Geologic Section Map MFU1823D Update Mill Fork Lease Boundary

Geologic Section Map MFU1829D Update Mill Fork Lease Boundary

Geologic Section Map MFS1824D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Geologic Section Map MFU1827D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Geologic Section Map MFU1826D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Geologic Section Map MFU1825D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Geologic Section Map MFU1828D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Hydrology Section

Hydrologic Section Map MFS1830D Remove Gas Well Buffer and Update Mill Fork Lease Boundary

Hydrologic Section Map MFS1831D Remove Gas Well Buffer and Update Mill Fork Lease Boundary

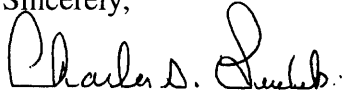
Hydrologic Section Map MFS1832D Remove Gas Well Buffer and Update Mill Fork Lease Boundary

Hydrologic Section Map MFS1851D Remove Gas Well Buffer and Update Mine Workings, Mine Plan and Mill Fork Lease Boundary

Deer Creek Mine: Volume 12 Amendment
March 17, 2006
Page Five

Attached are the required C1 and C2 forms along with five (5) redline copies of the amended text R645-301-400 Land Use & Air Quality, page 5 and reference sheets and 1 (one) copy of maps MFS1839D and MFS1852B stamp "Confidential". If you have any questions or concerns regarding this document, please contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,



Charles A. Semborski
Manager Geology/Permitting

Enclosure: Volume 12 R645-301-400 Land Use & Air Quality, page 5
Reference Sheets
Maps MFS 1852B and MFS1839D stamped "Confidential"
C1/C2 Forms

Cc: Doug Johnson (EWMC, w/o encl.)
File

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/0018

Title: Update Deer Creek Mine Permit Volume 12 Mill Fork Lease

Description, Include reason for application and timing required to implement:

Remove Mill Fork Gas Well Buffer Zone, Update Mill Fork Permit Boundary, Task Id#2351

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☒ Yes ☐ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles A. Semborski
Print Name

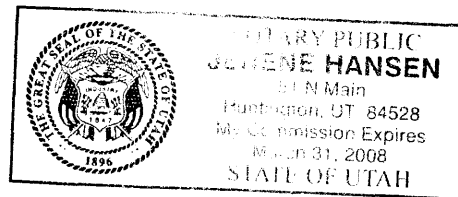
Charles A. Semborski Geology/Permitting Supervisor 3-20-06
Sign Name, Position, Date

Subscribed and sworn to before me this 20 day of March, 2006

Jenna Hansen
Notary Public

My commission Expires:

Attest: State of Utah 3/31, 2008) ss:
County of Carbon



For Office Use Only:

**Assigned Tracking
Number:**

Received by Oil, Gas & Mining

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/018

Title: Remove Mill Fork Gas Well Buffer Zone, Update Mill Fork Permit Boundary, Task Id#2351

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

☐ Add ☒ Replace ☐ Remove

Volume 12, Land Use & Air Quality Section - Replace Page 5, Removed confidential information

☐ Add ☒ Replace ☐ Remove

Volume 12 Biology Section Map MFS1852B, Stamped "Confidential"
 ** Relocate to Private and Confidential Volume: Deer Creek tab entitled "Volume 12 R645-301-300 Biology"

☒ Add ☐ Replace ☐ Remove

****DOGM Only - Other Agencies Destroy****

☐ Add ☒ Replace ☐ Remove

Volume 12 Biology Section Map MFS1852B, Insert Reference Page

☒ Add ☐ Replace ☐ Remove

Engineering Section Map MFS1839D Stamped "Confidential"

**** Relocate to Private and Confidential Volume: Deer Creek tab entitled "Volume 12 R645-301-500 Engineering"**

****DOGM Only - Other Agencies Destroy****

☒ Add ☐ Replace ☐ Remove

Volume 12 Engineering Section Map MFS1839D, Insert Reference Page

PacifiCorp Confidential & Private Volume, Insert tabs, R645-301-300 Biology, R645-301-400 Land Use & Air Quality, R645-301-500 Engineering

**** Division Only ****

☒ Add ☐ Replace ☐ Remove

PacifiCorp Confidential & Private Volume, Insert reference sheets, R645-301-300 Biology, R645-301-400 Land Use & Air Quality, R645-301-500 Engineering

**** Division Only ****

☐ Add ☐ Replace ☐ Remove

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

Received by Oil, Gas & Mining

PacifiCorp

Energy West Mining Company

Deer Creek Mine

Update Volume 12

PacifiCorp, Deer Creek Mine, C/015/0018

Volume 12

Biology Section

Map Reference Sheet

**DEER CREEK MINE
C/015/0018**

Volume 12

Map MFS1852B

**Refer to Private and Confidential & Private Volume:
Deer Creek**

Tab Entitled

**PacifiCorp Confidential and Private Information Volume
DEER CREEK MINE Volume 12
R645-301-300 Biology**

March 17, 2006

PacifiCorp

Energy West Mining Company

Deer Creek Mine

Update Volume 12

PacifiCorp, Deer Creek Mine, C/015/0018

Volume 12

Land Use & Air Quality Section

Text Section: Page Five

Redline Copy

Because of the surface alterations of excess ground cover, road blading, cattle and wildlife activities, much of the survey area was not easily evaluated for general archaeological presence. However, cultural resources were easily obtained.

Observations of cultural materials resulted in examinations to determine the nature of the resource. The area was sketched, photographed, and recorded on the Intermountain Antiquities Computer System (IMACS) forms. These sites were then evaluated for their cultural significance which included a mitigation recommendation for preserving the significant resource.

A summary of historic resources is in the Confidential and Private Volume in the tab entitled "Deer Creek Volume 12 R645-301-400 Land Use & Air Quality".

~~One previously recorded non-significant cultural resource activity locus is located within the study area. Site 42EM-856 is a prehistoric lithic scatter originally recorded as an "S-III" classified site during the Central Coal Project (Hauck, 1979b). The site was re-visited during this survey and determined to be a non-significant resource.~~

~~One newly identified prehistoric cultural resource activity locus was identified and recorded during this study. Site 42EM-2430 consists of a non-significant lithic scatter.~~

~~Two isolated artifacts were observed during the evaluation. Both artifacts consist of lithic flakes that cannot be culturally identified or associated with activity loci.~~

No historic or prehistoric cultural resource activity loci were discovered and recorded during the examination.

PacifiCorp

Energy West Mining Company

Deer Creek Mine

**Update Volume 12
PacifiCorp, Deer Creek Mine, C/015/0018**

**Volume 12
Engineering Section
Map Reference Sheet**

**DEER CREEK MINE
C/015/018**

Volume 12

Map MFS1839D

**Refer to Private and Confidential & Private Volume:
Deer Creek**

Tab Entitled

**PacifiCorp Confidential and Private Information Volume
DEER CREEK MINE Volume 12
R645-301-500 Engineering**

March 17, 2006

PacifiCorp

Energy West Mining Company

**Update Confidential & Private Volume
PacifiCorp, Cottonwood Mine C/015/019/Deer Creek Mine, C/015/0018/Des-
Bee-Dove Mine, C0/15/017Trail Mountain Mine C/015/009**

**** Division Only ****
Confidential & Private Volume
Deer Creek Mine Tab
Insert Tabs